

### 3. RESPONSE/REMARKS

#### 3.1 STATUS OF THE CLAIMS:

*Claims 1-23 were pending at the time of the Species Election.*

*Claims 2-23 have been amended herein.*

*Claim 24 has been added herein.*

*Claims 1-24 remain pending in the case.*

#### 3.2 SPECIES ELECTION

Applicants were asked to elect a single species from the compounds of Formula I (claim 1), and a single bowel inflammatory disease from the claimed diseases (claim 19) for initial prosecution on the merits.

Without acquiescing in any way to the propriety of the species election requirement imposed, and solely to facilitate expeditious examination on the merits of particular embodiments of the invention, Applicants have made the following species elections:

(a) For a compound of Formula 1, Applicants elect the species of “PMX53” (compound 1 as described in PCT/AU02/01427), and defined in the present Specification, for example, at page 19, lines 10-15 as “AcF-[OPdChaWR]”. All claims are generic to this species, and new claim 24 is directly drawn to the elected species.

(b) For a single bowel inflammatory disease, Applicants elect the species of “Crohn’s disease.” Claims 1-19, 23, and 24 are generic to this species; claim 21 is directly drawn to the elected species. Claims 20 and 22 do not read on the elected species of Crohn’s disease, but are generic with respect to compound PMX53 (AcF-[OPdChaWR]).

These elections are made *without* traverse.

Applicants further reserve the right to rejoin the remaining non-elected species upon allowance of the elected species, and also expressly reserve the right to re-file any non-elected inventions in suitable continuing, divisional, or other such applications as may be necessary at such time during the pendency of the present application.

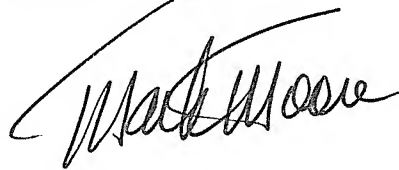
### **3.3 SUPPORT FOR THE CLAIMS**

Support for the pending claims can be found throughout the original claims, specification and figures as filed. It will be understood that no new matter is included within any of the present claims. Applicants have made minor amendments to the preamble language of the pending claims to more precisely conform to the traditional language common to U.S. claims' practice. Applicants have also made appropriate amendments to the Specification and certain claims to address several typographical errors that were introduced into the text as a result of conversion of the text of the international application in which some symbol fonts were incorrectly transcribed. Applicants certify that no new matter has been introduced as a result of these amendments, and further authorize any additional fees necessitated by the presently paper to be deducted from Applicants' Representatives' Deposit Account as noted above.

### 3.4 CONCLUSION

Applicants believe that the present paper is fully responsive to the outstanding Action, and believes that the pending claims are acceptable under all sections of the Statutes and are in conditions for initial examination on the merits. Should the Examiner have any questions, a telephone call to the undersigned Applicants' representative would be appreciated.

Respectfully submitted,

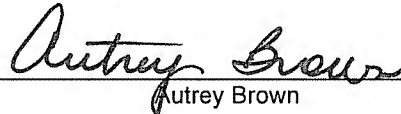


Mark D. Moore, Ph.D.  
Registration No. 42,903

Date: November 22, 2006  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 713-547-2040  
Facsimile: 214 200-0853  
38871.33

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I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via EFS-Web on November 22, 2006.

  
Autrey Brown